



**State of New Hampshire**

**PUBLIC EMPLOYEE LABOR RELATIONS BOARD**

HOLLIS/BROOKLINE COOPERATIVE SUPPORT  
STAFF ASSOCIATION/NEA-NH

and

HOLLIS/BROOKLINE COOPERATIVE TEACHERS  
ASSOCIATION/NEA-NH

Petitioners

v.

HOLLIS/BROOKLINE COOPERATIVE SCHOOL  
BOARD

Respondent

CASE NO'S: M-0631  
T-0397

DECISION NO: 91-31

APPEARANCES

Representing the Hollis/Brookline Cooperative Support Staff  
and Teachers Association/NEA-NH:

James Allmendinger, Esq., Counsel  
Marc Benson, UniServ Director, Souhegan Region

Representing the Hollis/Brookline Cooperative School Board:

Bradley F. Kidder, Esq., Counsel

Also in attendance:

Philip Dahlinger, Supt.  
Carolyn A. Lezenby, H.E.A.  
Rosemary T. Mezzocchi, H.E.A.  
Barbara Lovejoy, H.E.S.S.A.  
A. Nancy Wood, H.E.A.  
Elaine Bennett, H.E.A.  
Kathleen Pesko, H/B School Board  
R. Tulloch, H.E.A.  
Nancy Fisher, H.E.S.S.A.

BACKGROUND

On June 13, 1990, the (1) Hollis/Brookline Cooperative Support Staff Association, NEA/NH and the (2) Hollis/Brookline Cooperative Teachers Association, NEA/NH (Associations) filed petitions for certification of new units composed of (1) all full-time and part-time secretaries, custodians, head custodians, aides, lunch personnel and audio-visual coordinator and (2) all full-time certified teaching employees, librarians, school nurses and guidance counselors.

Above petitions were filed pursuant to the Articles of Agreement for the Hollis/Brookline Cooperative School District, with a date of operating responsibility of July 1, 1991 which were approved by the voters for the education of students of both towns, Hollis and Brookline, in grades 7 thru 12.

Counsel for the Hollis/Brookline Cooperative School Board (Board) filed exceptions to both units on the basis that the current Hollis School District and the current Brookline School District (Districts) would continue to exist and operational for the education of students in grades below 7 and that their current collective bargaining agreements (CBA's) would remain in existence. He added that as the Cooperative district would have no employees until it became operational, July 1, 1991, and had not yet determined what positions it would establish, the petitions were premature and should be denied.

A hearing on the merits was held in the office of the Public Employee Labor Relation Board (PELRB) in Concord on August 23, 1990 with all parties represented.

#### FINDINGS OF FACT

As facts were basically the same, both cases were consolidated with the approval of the parties.

1. The Hollis School District currently operates three (3) schools; the Hollis Elementary, Hollis Junior High and Hollis area High School.
2. The Brookline students in grades 7 thru 12 attend the Hollis schools on a tuition basis.
3. The Brookline School District operate its own separate elementary school for students in grades K thru 6.
4. The Hollis Support Staff Association was certified by PELRB after an election was held on May 27, 1985.
5. The Hollis Teachers Association was certified on December 7, 1976 pursuant to the grandfathering provisions under RSA 273-A.
6. The voters in Hollis and Brookline approved the formation of the Cooperative School District for students in grades 7 thru 12 on February 12, 1990.
7. The N.H. Board of Education certified the Cooperative School District as required by RSA 195:18, VI on March 14, 1990.
8. On May 23, 1990 a moderator and school board was elected and an annual budget for 1990-91 was approved.
9. During the school year 1990-91 the Hollis and Brookline Districts continued to operate as in the past.
10. The new Cooperative School Board met regularly to plan for the opening of the 1991-92 school year.
11. Attempts to reach agreement with the Cooperative School Board on the composition of the units were unsuccessful.

12. Evidence was submitted that contracts have been offered to current Hollis Junior High and Hollis High School teaching staff by the Cooperative School District.
13. Both the cooperative Junior High and High School will operate in the same buildings as the current Hollis schools and will serve the same student population from Hollis and Brookline.
14. The Hollis School District will continue to own two of the three school buildings which will be leased to the cooperative district.
15. Instead of paying a tuition for Brookline students to attend the Hollis Junior and Senior High Schools, Brookline after July 1, 1991 will be sharing operational costs through a formula outlined in RSA 195:7 II.
16. The Superintendent of the Hollis School District will also become Superintendent of the Cooperative School District.
17. Although the Cooperative School District's operating responsibility date is July 1, 1991 in accordance with RSA 195:18 it became a lawful organization as of March 14, 1990 upon issuance of its certification of formation.
18. PELRB on May 2, 1991 issued Decision No. 91-25 granting a status quo to the support staff and teaching staff with regards to terms and conditions of employment pending a decision on the August 23, 1990 hearing on the certification petitions.
19. The above findings are being substituted for the parties requests.

DECISION AND ORDER

After complete review and consideration of all evidence presented at hearing, PELRB rules and in keeping with the spirit and intent of RSA 273-A and its policy to foster harmonious and cooperative relations between employees and employers by encouraging orderly and uninterrupted operation of government, the Hollis/Brookline Cooperative School Board are obligated to honor the existing agreements.

Therefore by the above ruling the certifications petitions are hereby declared MOOT.

So ordered.

Signed this 1st day of June, 1991.

  
EDWARD J. HASELTINE  
Chairman

By unanimous vote. Chairman Edward J. Haseltine presiding. Members Richard E. Molan, Esq. Richard W. Roulx present and voting. Also present, Executive Director, Evelyn C. LeBrun.